

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UBS SECURITIES LLC and  
UBS LOAN FINANCE LLC,

Plaintiffs/Counter-Defendants,

v.

THE FINISH LINE, INC.,

Defendant/Counter-Plaintiff,

and

GENESCO INC.,

Defendant.

No. 07 Civ. 10382 (LAP)

FILED  
U.S. DISTRICT COURT  
S.D. OF N.Y.  
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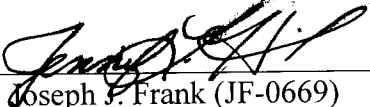
**NOTICE OF MOTION TO ADMIT COUNSEL PRO HAC VICE**

PLEASE TAKE NOTICE that upon the annexed Declaration of Jennifer L. Heil, dated February 21, 2008, the accompanying Declaration of Patrick H. Kim, dated February 20, 2008, and the exhibit annexed thereto, the undersigned moves this Court for an Order, pursuant to Rule 1.3(c) of the Local Rules for the United States District Court for the Southern and Eastern districts of New York, admitting Patrick H. Kim to the bar of this Court *pro hac vice* in order to argue and try the above-captioned case as counsel for Plaintiffs UBS Securities LLC and UBS Loan Finance LLC.

Dated: New York, New York  
February 21, 2008

LATHAM & WATKINS LLP

By:

  
Joseph J. Frank (JF-0669)  
Jennifer L. Heil (JH-4290)  
Eric S. Olney (EO-7324)

642751 \$25 2-21-08 MQ

885 Third Avenue, Suite 1000  
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*Attorneys for Plaintiffs  
UBS Securities LLC and  
UBS Loan Finance LLC*

cc: All Counsel of Record (via email)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UBS SECURITIES LLC and  
UBS LOAN FINANCE LLC,

Plaintiffs/Counter-Defendants,

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and

GENESCO INC.,

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**ORDER GRANTING MOTION TO ADMIT COUNSEL PRO HAC VICE**

This matter having been brought before the Court by motion to admit Patrick H. Kim *pro hac vice* to appear and participate as counsel for Plaintiffs UBS Securities LLC and UBS Loan Finance LLC in the above-captioned action, and the declaration of such attorney having been submitted in support thereof, and it appearing that such attorney is a member in good standing of the bar of the state in which he is admitted to practice law, and that there are no disciplinary proceedings against him as a member of the bar in any jurisdiction; it is

ORDERED that, pursuant to Local Civil Rule 1.3(c) of this Court, Patrick H. Kim of the District of Columbia bar is admitted *pro hac vice* to practice before this Court as counsel for Plaintiffs UBS Securities LLC and UBS Loan Finance LLC in these proceedings.

Dated: February \_\_\_\_, 2008

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Honorable Loretta A. Preska  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UBS LOAN FINANCE LLC,

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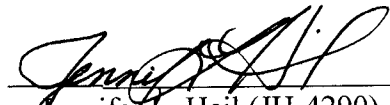
**DECLARATION OF JENNIFER L. HEIL**

JENNIFER L. HEIL, pursuant to 28 U.S.C. § 1746, hereby declares under the penalty of perjury as follows:

1. I am an attorney of the New York office of the law firm Latham & Watkins LLP, counsel for UBS Securities LLC and UBS Loan Finance LLC, Plaintiffs in this action. I submit this Declaration in support of the motion, pursuant to Local Rule 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, for an Order granting Patrick H. Kim admission *pro hac vice* to the bar of the United States District Court for the Southern District of New York in order to argue and try the above-captioned case.
2. I am a member in good standing of the bar of this Court.
3. I have reviewed the Declaration of Patrick H. Kim in support of the motion for admission *pro hac vice* submitted herewith, and I believe that the declarations are true and correct. Patrick H. Kim is fully familiar with the facts of this case.

4. Upon the foregoing facts, I respectfully request that the Court grant the motion for the admission *pro hac vice* of Patrick H. Kim to the bar of the United States District Court for the Southern District of New York.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 21st day of February, 2008, in New York, New York.

  
Jennifer L. Heil (JH-4290)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UBS SECURITIES LLC and  
UBS LOAN FINANCE LLC,

Plaintiffs/Counter-Defendants,

v.

THE FINISH LINE, INC.,

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and

GENESCO INC.,

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No. 07 Civ. 10382 (LAP)


**DECLARATION OF PATRICK H. KIM**

PATRICK H. KIM, pursuant to 28 U.S.C. § 1746, hereby declares under the penalty of perjury as follows:

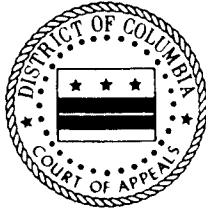
1. I am a member of the law firm of Williams & Connolly LLP, located at 725 Twelfth St., N.W., Washington DC, 20005.
2. I submit this Declaration in support of the motion to admit counsel *pro hac vice* in the above-captioned matter. As demonstrated by the Certificate of Good Standing annexed hereto, I am a member in good standing of the District of Columbia Bar.
3. There are no pending disciplinary proceedings against me in any State or Federal Court.
4. Wherefore, I respectfully request that I be permitted to appear as counsel and advocate *pro hac vice* in the above-captioned case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this

20 day of February, 2008, in New York, New York.

A handwritten signature in black ink, appearing to read 'Patrick H. Kim', written over a horizontal line.

Patrick H. Kim



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

HYUNG-JIN P. KIM

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was on the 1<sup>ST</sup> day of MARCH, 2004  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on  
February 20, 2008.

GARLAND PINKSTON, JR., CLERK

By: M. Chai  
Deputy Clerk



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UBS SECURITIES LLC, and UBS LOAN  
FINANCE LLC,

Plaintiffs,

-against-

THE FINISH LINE, INC. and GENESCO  
INC.,

Defendants.

07 Civ. 10382 (LAP)

**CERTIFICATE OF SERVICE**

I, Jessica Bengels, hereby certify that on February 21, 2008, true and correct copies of the annexed Notice of Motion to Admit Counsel Pro Hac Vice, dated 2/21/08, the (Proposed) Order Granting Motion to Admit Counsel Pro Hac Vice, Declaration of Jennifer L. Heil, dated 2/21/08, and Declaration of Patrick H. Kim, dated 2/20/08, were caused to be served via electronic mail pursuant to a written agreement among counsel dated 1/24/08, in accordance with Federal Rule of Civil Procedure 5(2)(D) upon:

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- and -

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ashaw@bsfllp.com  
*Attorneys for Genesco, Inc.*

Dated: February 21, 2008  
New York, New York

LATHAM & WATKINS LLP

By: 

\_\_\_\_\_  
Jessica Bengels (JB-2290)

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Attorneys for Plaintiffs UBS  
Securities LLC and UBS Loan  
Finance LLC